

REMARKS

I. Status of the Application

At the time of the Action, Claims 1-6 were pending. All pending claims stand rejected under Section 112, second paragraph and Section 103(a). These rejections are addressed below.

II. The Section 112 Rejections

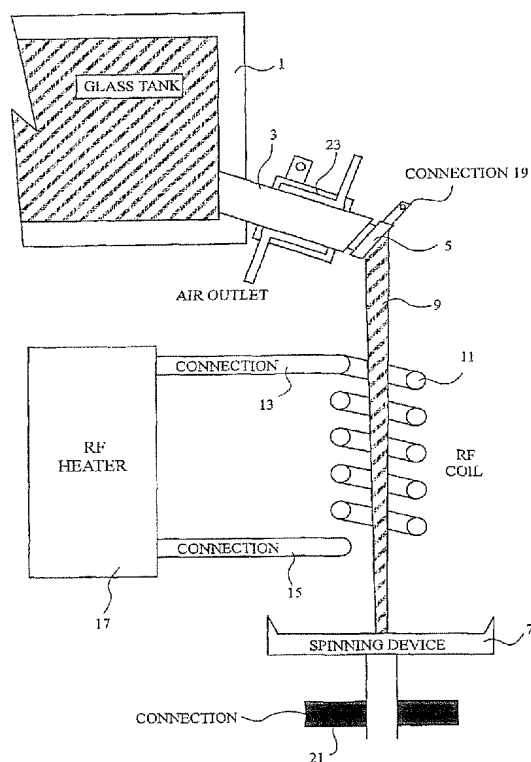
The Action rejects Claims 1 and 5 as being indefinite for the inclusion of the term "free-flowing" in reference to the molten stream. Applicant disagrees that this term is unclear, but to expedite prosecution has amended Claims 1 and 5 to remove this term. As such, Applicant requests that this rejection be withdrawn.

III. The Section 103(a) Rejections

Claims 1 and 4-6 stand rejected under Section 103(a) as unpatentable based on U.S. Patent No. 4,344,785 to Jenson (Jenson) in view of U.S. Patent No. 1,375,336 to Wadsworth (Wadsworth). Figure 1 of Jenson (shown below) illustrates the Jenson device. As can be seen in Figure 1, the glass stream of Jenson is completely enclosed within a vertical stack of columns 12 as the stream travels from the forehearth 14 to a fiber-forming bushing 16.

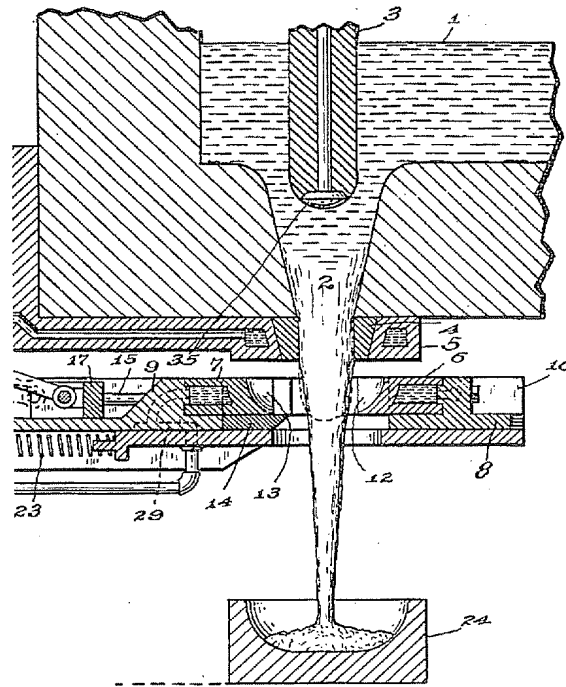


Applicant respectfully directs the Examiner's attention to amended Claim 1, which now recites that the moving stream of glass is "unenclosed." Support for this claim recitation can be found, for example, in Figure 1 of the specification, which illustrates that the stream is unenclosed as it passes through the RF coil 11.



It is clear that at least this claim element is absent from Jenson.

Wadsworth also fails to disclose a stream that is unenclosed as it passes through temperature changing means. A portion of Figure 1 of Wadsworth (shown below) illustrates that glass material is heated as it resides in chamber 1, but is not heated as it travels between the lower surface of the carriage 8 and the receptacle 24. Thus, it is clear that Wadsworth also lacks at least this claim element of Claim 1.



In view of the failure of either of the cited references to disclose or suggest at least one element of Claim 1, Applicant submits that the rejection of Claim 1 and claims dependent thereon cannot stand, and requests that it be withdrawn.

Similarly, Claim 5 has been amended to recite that the stream is unenclosed as it is heated by the temperature changing means. Accordingly, Applicant submits that the rejection to Claim 5 should be withdrawn for the same reasons as set forth above in connection with Claim 1.

IV. New Claim 7

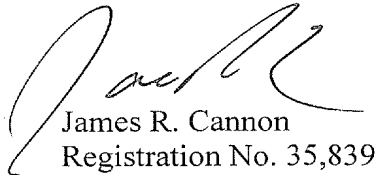
Claim 7 is proffered above for entry and examination. Claim 7 recites, *inter alia*, that the temperature changing means is spaced apart from the stream as the stream passes through the temperature changing means. Support for this claim recitation is provided, for example, in Figure 1 of the specification. It is clear that the devices of Jenson and Wadsworth are configured such that their heating devices directly contact their glass streams, in contrast to the recitation of Claim 7. Applicant submits, therefore, that Claim 7 is free of the cited art.

Serial No. 10/539,125
May 21, 2009
Page 8 of 8

V. Conclusion

Inasmuch as all of the outstanding issues raised in the Action have been addressed, Applicant respectfully submits that the application is in condition for allowance, and requests that it be passed to allowance and issue.

Respectfully submitted,




James R. Cannon
Registration No. 35,839

Myers Bigel Sibley & Sajovec, P.A.
Post Office Box 37428
Raleigh, NC 27627
Telephone (919) 854-1400
Facsimile (919) 854-1401

CERTIFICATION OF TRANSMISSION

I hereby certify that this correspondence is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4) to the U.S. Patent and Trademark Office on May 21, 2009.

Signature: _____



Joyce Paoli